## January 23, 2003

Examiner Eyler
United States Patent and Trademark Office
Technology Center 1600
Crystal Mall 1
1911 S. Clark Pl.
Room 10D19
Arlington, VA 22202

## Via Federal Express

Examiner Eyler

Pursuant to your request of Wednesday, January 22, 2003, enclosed please find <u>three copies</u> of the Amended Appeal Brief as originally filed on September 24, 2002 in application serial number 09/714,883 (Attorney Docket Number LEX-0092-USA). Please contact me at (281) 863-3399 if you have any questions concerning this matter.

Sincerely,

David W. Hibler

Davil W. Llou

Reg. No. 41,071

TECH CFAITER 1600/2900

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Turner, Jr. and Mathur

Group Art Unit: 1646

Application No.: 09/714,883

Examiner: O. Chernysho

Filed:

11/16/2000

Atty. Dkt. No.: LEX-009

Title: Novel Human Secreted Proteins and

Polynucleotides Encoding the Same

## RESPONSE TO PAPER NUMBER 20 DATED JANUARY 14, 2003

**Assistant Commissioner for Patents** Arlington, VA 22202

Sir:

The Applicants acknowledge the receipt of the Paper Number 20, mailed on January 14, 2003, which has been carefully reviewed and studied. Applicants herewith submit three copies of the Amended Appeal Brief, which was originally filed in triplicate on September 24, 2002.

Applicants believe no fees are due in connection with this response. However, the Commissioner is authorized to charge any required fees or credit any overpayment to Deposit Account No. 50-0892.

Respectfully submitted,

January 23, 2003

Date

David W. Hibler

Reg. No. 41,071

Agent for Applicants

LEXICON GENETICS INCORPORATED

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M. Zhou

The Woodlands, TX 77381

(281) 863-3399





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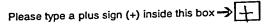
PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

				Application Number		09/714,883						
	TRA	TIMENA	<b>TAL</b>	Filing Date		Nov 16, 2000						
		FORM		First Named Inventor		Turner, Jr., C. Alexander						
				Group Art Unit		1646						
(to	o be used for a	III correspondence a	after initial filing)	Examiner Name		O. Chernyshev						
	Total Number	r of Pages in This Submission	23 pages plus 16 Exhibits	Attorney Docket Number		LEX-0092-USA 03 57 77 77						
ENCLOSURES (check all that apply)												
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<i>or</i> Indiv	vidual name	Lance K. Ishim		o. 41,866								
Signature Lance K. Blumista by Sow Muslow 22. NO. 41,071 PATENT TRADEMARK OFFICE												
Date January 23, 2003												
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i here	eby certify that	this correspondence				nt postage as Second-Day Air						
mail in an envelope addressed to: Commissioner for Patents, Arlington, VA 22202 on this date:  January 23, 2003												
Typed or printed name   Michelle Klein												
Signature Date January 23, 2003												



Approval for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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LAWIAI				Group Art Unit		1646					
(to be used for all correspondence after initial filing)				Examiner Name		O. Chernyshev					
Total Number of Pages in This 20 pa Submission 16			20 pages plus 16 Exhibits	Attorney Docket Number		LEX-0092-USA					
ENCLOSURES (check all that apply)											
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			Drawing(s	)	X	of Appeals and Interferences					
			Change of Correspondence Address			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
						Proprietary Information					
						Status Letter					
						Other Enclosure(s) (please identify below):					
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c	Certified Copy of Priority Document(s)		CD, Number of CD(s)								
⊩ R	Response to Missing Parts/ Incomplete Application		Remarks Filed in triplicate								
	Response to Missing Parts under 37 CFR 1.52 or 1.53										
			GNATURE OF A	PPLICANT, ATTORNEY	, OR A	GENT					
Firm		SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Lexicon Genetics Incorporated									
or Individual name Lance K. Ishim		noto Reg. No. 41,866 24231									
Signatu	ure a	Conce K. Lyler	nuo & Carist	PATENT TRADEMARK OFFICE							
Date		September 24,	2002								
CERTIFICATE OF MAILING											
Mail											
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Typed o	or printed na		in 100111		Date	September 24, 2002					
Signature Date September 24, 2552											



Attn: <u>0. Chernyshev</u>

Assistant Commissioner for Patents EXPress Mail# EV Date Mailed: 0 11/16/00 U.S. Appl. Ser. No.: Date Filed: Inventors: TUYNEY 20 Polyn vde ondes UIFE **'**رن SEP 2 4 2002 LEX-0092-USA Attorney Docket No .: Other: return postcard; Transmittal Sheet Mailing Label 2U EP7848793 US EXPRESS INITED STATES POSTAL SERVICE ® **Customer Copy** EXPRESS MAIL UNITED STATES POSTAL SERVICE® Post Office To Addressee DELIVERY (POSTAL USE ONL Flat Rate Envelope Return Receipt Fee 2nd Day Federal Agency Acct. No. o Postal Service Acct. No. -FROM: (PLEASE PRINT) TO: (PLEASE PRINT) LEXICON GENETICS INC 3800 TECHNOLOGY FOREST PL THE WOODLANDS TX 773 77381-1160 FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com